

DRAFT**RESOLUTION 20xx-xxx****RESOLUTION SELECTING AND AUTHORIZING AGREEMENTS FOR AS-NEEDED INFORMATION TECHNOLOGY AND INFORMATION SECURITY STAFFING SERVICES FOR A PERIOD OF FIVE YEARS WITH VENDORS (A) AMICK BROWN, LLC; (B) EXCELERATE, LLC; (C) KAYGEN, INC.; AND (D) KRASAN CONSULTING SERVICES, INC.**

WHEREAS, the San Diego Unified Port District (District) is a public corporation created by the legislature in 1962 pursuant to Harbors and Navigation Code, Appendix 1 (Port Act); and

WHEREAS, the Board of Port Commissioners (BPC) adopted BPC Policy No. 110 to establish a policy governing the processing and administration of public projects, consulting and service agreements, the purchasing of supplies, materials, and equipment, and grants; and

WHEREAS, the District's Information Technology (IT) department manages a Capital Project portfolio, that, over the last nine years, has averaged about \$4,500,000 annually. These projects often require additional resources beyond what the IT department can supply on its own. To assist in executing annual projects, IT relies on as-needed partner agreements; and

WHEREAS, the District's IT and Information Security (IS) departments manage a number of technology platforms and infrastructure critical to the business, financial, safety, and security of the Port, its staff, tenants, and the public it serves. Maintaining these critical platforms requires a base-level of staff but the variety of activities that occur each year to add, upgrade, retire, replace, or archive technologies causes surges in staffing needs; and

WHEREAS, utilizing as-needed, contract staffing to manage the District's existing information system platforms and technologies offers a flexible and cost-effective solution for maintaining and enhancing these critical systems. By engaging contract professionals, the District can access specialized skills and expertise on an as-needed basis, without the long-term financial commitment associated with full-time employees. This approach allows for the efficient allocation of resources, ensuring that staffing levels align with project demands and business cycles. Additionally, contract staffing can provide a fresh perspective and innovative solutions to complex challenges, fostering a dynamic and adaptable IT environment at the District; and

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WHEREAS, staff augmentation and backfill are critical to safely manage and maintain existing technology while also engaged in transformative projects and efforts. It is not practical or feasible to recruit and hire the variety of staff needed at various times through the year. Known timeframes for such hiring would cause serious delays in forward progress of critical planned activities, many with limited timelines based on grant time parameters; and

WHEREAS, to ensure the District has resource staffing at the ready when they are needed, staff issued Request for Qualifications No. 24-09MB (RFQ No. 24-09MB) on March 19, 2024, asking qualified firms to submit responses for As-Needed Staffing Services. District staff reviewed and analyzed ninety-four (94) responses and interviewed eight (8) firms. The panel conducted interviews and ranked the firms according to the selection criteria established in the RFQ. As established in the RFQ, firms were assessed on their approach to sourcing and supplying appropriate as-needed staff, capability to perform, the firm's relevant experience with similar IT and IS resourcing in public sector agencies, and the reasonableness of their proposed costs; and

WHEREAS, based upon their superior understanding of the staffing requirements of the target departments, superior approach to sourcing staff and servicing the departments, and extensive experience working with public sector agencies, staff recommends selecting and authorizing agreements with:

- Amick Brown, LLC
- Excelerate, LLC
- Kaygen, Inc.
- Krasan Consulting Services, Inc.

WHEREAS, agreements with these capable and flexible partners will be critical as IT moves forward in executing management and expansion of technologies in fiscal year 2025 and beyond. The IT department will be engaged in simultaneous complex efforts such as developing a Data Management program, installing a Data Warehouse, and integrating disparate data sources, upgrading or replacing our Enterprise Resource Planning system, and bringing on major maritime and public safety technologies. Specialized technical resources will be required to augment and assist staff throughout the technical elements of the initiatives, while also providing learning and knowledge transfer to IT and IS team members; and

WHEREAS, the proposed Board action, including without limitation adopting a resolution selecting and authorizing agreements with Amick Brown, LLC, Excelerate, LLC, Kaygen, Inc., and Krasan Consulting Services, Inc., to provide as-needed staffing services for a total aggregate amount not to exceed \$7,000,000 for a period of five years beginning July 22, 2024, and ending July 21, 2029, does not constitute a project under the definition set forth in California Environmental Quality Act (CEQA) Guidelines Section 15378 because there is not

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a potential to result in a direct or indirect physical change in the environment. Therefore, the proposed Board action is not subject to CEQA and no further action under CEQA is required; and

WHEREAS, the proposed Board action complies with Sections 21 and 35 of the Port Act which allow for the Board to pass resolutions and to do all acts necessary and convenient for the exercise of its powers. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed Board action is consistent with the Public Trust Doctrine; and

WHEREAS, the proposed Board action does not allow for development, as defined in Section 30106 of the California Coastal Act, or new development, pursuant to Section 1.a. of the District's Coastal Development Permit Regulations. Therefore, issuance of a Coastal Development Permit or an exclusion finding is not required; and

WHEREAS, staff recommends the BPC select and authorize agreements with Amick Brown, LLC, Excelerate, LLC, Kaygen, Inc. and Krasan Consulting Services, Inc., to provide As-Needed Staffing Services for a total aggregate amount not to exceed \$7,000,000 for a period of five years beginning July 22, 2024, and ending July 21, 2029.

NOW, THEREFORE, BE IT RESOLVED by the Board of Port Commissioners of the San Diego Unified Port District (BPC), as follows:

1. The BPC finds the facts recited above are true and further finds that it has jurisdiction to consider, approve and adopt the subject of this Resolution.

2. Based on the entire record available to the BPC and the findings set forth in this Resolution, the BPC finds that the action, including without limitation a resolution selecting and authorizing Agreements with Amick Brown, LLC, Excelerate, LLC, Kaygen, Inc., and Krasan Consulting Services, Inc., to provide As-Needed Staffing Services for a total aggregate amount not to exceed \$7,000,000 for a period of five years beginning July 22, 2024, and ending July 21, 2029, does not constitute a project under the definition set forth in California Environmental Quality Act (CEQA) Guidelines Section 15378 because there is not a potential to result in a direct or indirect physical change in the environment. Therefore, the proposed Board action is not subject to CEQA and no further action under CEQA is required.

3. That the Executive Director or their designated representative is hereby authorized and directed to execute the agreements with Amick Brown, LLC, Excelerate, LLC, Kaygen, Inc., and Krasan Consulting Services, Inc., to provide As-Needed Staffing Services for a total aggregate amount not to exceed

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\$7,000,000 for a period of five years beginning on July 22, 2024, and ending on July 21, 2029.

APPROVED AS TO FORM AND LEGALITY:
GENERAL COUNSEL

By: Assistant/Deputy General Counsel

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 9th day of July 2024, by the following vote: